

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION**

ANTOINE SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1-15-00011
	)	Senior Judge Haynes
	)	
BRUCE WOODS, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 42) to grant Defendant Corrections Corporation of America., Inc.'s, ("CCA"), motion to dismiss (Docket Entry No. 23). Plaintiff filed an objection (Docket Entry No. 49).

The Magistrate Judge concluded that Plaintiff fails to state § 1983 claim against CCA because Plaintiff's allegations fail to set out the existence of a policy or custom of CCA that show, or even support an inference, that a CCA policy or custom was the moving force behind the alleged constitutional violations and that, in any event, Plaintiff's contention that CCA failed to conduct an adequate background check on Defendant Bruce Woods merely raises a claim that CCA was negligent in its hiring practices. (Docket Entry No. 23 at 6).

In his objection, Plaintiff asserts that "all actions done by employees of CCA, direct or indirect action, makes CCA a direct or indirect contributor" and that "CCA having prior knowledge of a criminal history assume the responsibility." (Docket Entry No. 49 at 2). Plaintiff also states that he "is asking this Honorable Court to dismiss U.S. Magistrate Judge Report and Recommendation, and also allow Plaintiff to amend original complaint." Id.

Plaintiff's objection does not add any additional facts or substantive analysis, as Plaintiff fails to allege a CCA policy or custom was the moving force behind the alleged constitutional violations and Plaintiff, in essence, asserts a claim for negligence against CCA. Plaintiff's request to "allow Plaintiff to amend original complaint" is not a sufficiently particular request under Fed. R. Civ. P. 7(b) and should be denied. See Evans v. Pearson Enters., Inc., 434 F.3d 839, 853 (6<sup>th</sup> Cir. 2006); Patterson v. Novartis Pharm. Corp., 451 F. App'x 495, 499 (6th Cir. 2011) ("Here, [plaintiff] only mentioned the possibility of amendments in the very last sentence of her opposition brief to the district court when she stated, '[i]n the alternative, Plaintiffs request an opportunity to amend the Complaint.' This is not a sufficiently particular request.").

Accordingly, having considered Plaintiff's objection and conducted a de novo review of the Magistrate Judge's Report and Recommendation, the Report and Recommendation (Docket Entry No. 42) is **ADOPTED**, and Defendant's motion to dismiss (Docket Entry No. 23) is **GRANTED**.

It is so **ORDERED**.

**ENTERED** this the 9<sup>th</sup> day of November, 2015.



WILLIAM J. HAYNES, JR.

Senior United States District Judge